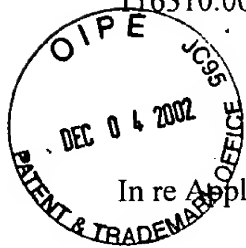


12-05-02

DAC #

PATENT

116310.0030



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Edward L. Carver

Serial No.: 09/039,789

Filed: March 16, 1998

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)  
) Group Art Unit: 1743  
)  
) Examiner: A. Soderquist  
)  
) Docket No. 116310.0030

For: **APPARATUS FOR MAKING A PLURALITY OF  
REAGENT MIXTURES AND ANALYZING PARTICLE  
DISTRIBUTIONS OF THE REAGENT MIXTURES**

Box DAC  
Commissioner for Patents  
Washington, DC 20231

**CERTIFICATE OF EXPRESS MAILING**

Express Mailing Label No.: EV087257055US

Date of Deposit: *December 4, 2002*

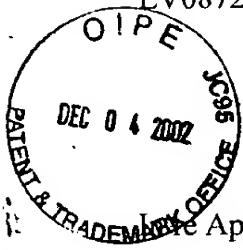
I hereby certify that the papers enclosed herewith: Petition to Revive an Unintentionally Abandoned Application Pursuant to 37 CFR § 1.137(b); Petition and Fee for Extension of Time under 37 CFR § 1.136; Continued Prosecution Application Request; Response to Office Action; Declaration Establishing Common Ownership; a check in the amount of \$1512.00 for fees associated with these filings, pursuant to 37 CFR §§ 1.17(m), 1.17(a), and 1.16; and a stamped, self-addressed return postal card are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. § 1.10 on the date indicated above and are addressed to: Box DAC, Commissioner for Patents, Washington, D.C. 20231.

*December 4, 2002*  
Date

*Elizabeth M. Swift*  
Name: *Elizabeth M. Swift*

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**OFFICE OF PETITIONS**



# IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of:

Edward L. Carver

Serial No.: 09/039,789

Filed: March 16, 1998

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Group Art Unit: 1743

Examiner: A. Soderquist

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Commissioner for Patents  
Washington, DC 20231

## PETITION TO REVIVE AN UNINTENTIONALLY ABANDONED APPLICATION PURSUANT TO 37 C.F.R. § 1.137(b)

Dear Sir:

Applicant hereby petitions to revive the above-identified application pursuant to 37 C.F.R. 1.137(b).

The above-identified application became abandoned for failure to reply to an Office Action. The Office Action was mailed on April 11, 2002, and set an three-month period for reply, extendable by up to three additional months under 37 CFR 1.136. Accordingly, the abandonment date of this application was October 11, 2002. This petition has been filed promptly upon learning of the abandonment.

The entire delay in filing the required reply from the due date therefor until the filing date of this grantable petition under 37 C.F.R. § 1.137(b) was unintentional.

In response to the Office Action, and in accordance with 37 C.F.R. § 1.137, applicant submits herewith a Continued Prosecution Application (CPA) and a check in the

12/06/2002 AWONDAF1 00000062 09039789

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640.00 OP

Repln. Ref: 01/30/2003 PRE555 00097855600  
DHF: 501631 Name/Number: 09039789  
FC: 9204

Adjustment date: 01/30/2003 PRE555  
12/06/2002 AWONDAF1 00000062  
01 FC:2453

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DEC 06 2002

OFFICE OF PETITIONS

amount of \$1512.00 for payment of the \$412.00 Filing Fee, as well as a Response to Office Action and a Statement Establishing Common Ownership.

Also submitted herewith are a Petition for Extension of Time under 37 C.F.R. § 1.136 and the \$460.00 fee for a 3-month extension of time to reply to the Office Action, and the \$640.00 petition fee required under 37 CFR § 1.17(m) for revival of the unintentionally abandoned application.

Please charge any additional fees that may be required in connection with the filing of this Petition to Deposit Account No. 50-1631.

Should there be any questions regarding this Petition, please contact the undersigned attorney at the telephone number listed below.

Date: *December 4, 2000*

Respectfully submitted,

By

*Mark D. Giarratana*  
Mark D. Giarratana, Reg. No. 32,615  
Attorney for Applicant

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